

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

Jennifer Hsu

vs.

Enhanced Recovery Corporation, LLC,  
Philadelphia Indemnity Insurance Co.

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NO: AU:17-CV-00128-RP

**SCHEDULING ORDER**

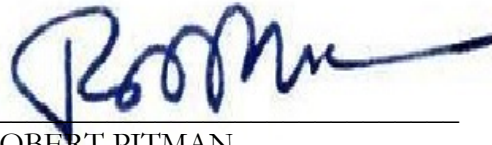
Pursuant to Rule 16, Federal Rules of Civil Procedure, the following Scheduling Order is issued by the Court:

1. A report on alternative dispute resolution in compliance with Local Rule CV-88 shall be filed on or before **May 24, 2017**.
2. The parties asserting claims for relief shall submit a written offer of settlement to opposing parties on or before **May 31, 2017**, and each opposing party shall respond, in writing, on or before **June 4, 2017**. All offers of settlement are to be private, not filed. The parties are ordered to retain the written offers of settlement and response as the Court will use these in assessing attorneys' fees and costs at the conclusion of the trial.
3. Each party shall complete and file the "Notice Concerning Reference to United States Magistrate Judge" on or before **May 24, 2017**.
4. The parties shall file all motions to amend or supplement pleadings or to join additional parties on or before **June 21, 2017**.
5. All parties asserting claims for relief shall file their designation of testifying experts and serve on all parties, but not file, the materials required by Fed. R. Civ. P. 26(a)(2)(B) on or before **September 12, 2017**. Parties resisting claims for relief shall file their designation of testifying experts and serve on all parties, but not file, the materials required by Fed. R. Civ. P.

- 26(a)(2)(B) on or before **September 26, 2017**. All parties shall file all designations of rebuttal experts and serve on all parties the material required by Federal Rule of Civil Procedure 26(a)(2)(B) for such rebuttal experts, to the extent not already served, within fifteen (15) days of receipt of the report of the opposing expert.
6. An objection to the reliability of an expert's proposed testimony under Federal Rule of Evidence 702 shall be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony, within **eleven (11)** days from the receipt of the written report of the expert's proposed testimony, or within **eleven (11)** days from the completion of the expert's deposition, if a deposition is taken, whichever is later.
  7. The parties shall complete all discovery on or before **October 10, 2107**. Counsel may by agreement continue discovery beyond the deadline, but the Court will not interveve, except in extraordinary circumstances, nor will it vacate any trial setting because of information obtained in post-deadline discovery.
  8. All dispositive motions shall be filed on or before **October 24, 2017** and shall be limited to 20 pages. Responses shall be filed and served on all other parties not later than 14 days of the service of the motion and shall be limited to 20 pages. Any replies shall be filed and served on all other parties not later than 14 days of the service of the response and shall be limited to 10 pages, but the Court need not wait for the reply before ruling on the motion.
  9. This case will be set for final pretrial conference, in chambers, at a later date and **bench trial** commencing at 9:00am on **the 5th day of February, 2018**. The final pretrial conference shall be attended by at least one of the attorneys who will conduct the trial for each of the parties and by any unrepresented parties. The parties should consult Local Rule CV-16(e) regarding matters to be filed in advance of the final pretrial conference.

With the exception of the dispositive motion deadline and the dates set for the final pretrial conference and trial, upon agreement of the parties and submission of an agreed motion, the deadlines set forth herein may be extended by Order of this Court. The Court may impose sanctions under Rule 16(f), Fed. R. Civ. P., if the parties do not make timely submissions under this Order.

SIGNED this 19th day of April, 2017.

A handwritten signature in blue ink, appearing to read "Robert Pitman", written over a horizontal line.

ROBERT PITMAN  
UNITED STATES DISTRICT JUDGE